

## **REMARKS**

The Applicant gratefully acknowledges the potential allowability of claims 14-32 and 37.

### **A. SUMMARY OF THE AMENDMENTS**

The present application contains 36 claims numbered 2 to 37. Claim 1 has been cancelled.

Claim 2 has been amended to include the limitations of former claim 1.

Minor amendments have been made to claims 3, 17 and 18 for consistency with the amendment made to claim 2.

No new subject matter has been added by way of the present amendment.

### **B. OBJECTION TO CLAIM 34**

On page 1 of the Office Action, the Examiner has objected to claim 34 for allegedly having an incorrect claim dependency. In response, the Applicant notes that claim 34 recites (emphasis added):

“wherein data packets received by the transmitter in a given cell from the I/O interface and from the CPU in said given cell share the data channel associated with said given cell.”

The antecedent for “data channel associated with said given cell” is found in claim 5, which recites “wherein each data channel of said plurality of data channels is associated with a given cell of said array”. Thus, it is respectfully submitted that claim 34 is correctly dependent on claim 5, and therefore no amendment is necessary to overcome the Examiner’s objection.

### **C. REJECTION OF CLAIMS 1-8 AND 33-36 UNDER 35 U.S.C. 102**

On page 2 of the Office Action, the Examiner has rejected claims 1-8 under 35 U.S.C. 102(e) as being anticipated by Prasad *et al.* U.S. Patent 6,275,491 (hereinafter referred to as Prasad). In addition, although claims 33-36 are not mentioned in the introductory statement of rejection on page 2, a review of pages 4 and 5 of the Office Action reveals that the Examiner has applied the same rejection to these claims.

In view of the cancellation of claim 1, the Examiner's argument is moot in respect of this claim. As for claims 2-8 and 33-36, the Applicant respectfully traverses this rejection and submits that claims 2-8 and 33-36 are in allowable form, as set forth herein below.

#### **Claim 2**

Specifically, the Applicant respectfully draws the Examiner's attention to Figure 2 of Prasad (used in the Examiner's rejection), where it is seen that all port processors 14<sub>1</sub>, 14<sub>2</sub>, 14<sub>3</sub>, 14<sub>4</sub> use the port processor control bus PPCBUS to send information about packets to a centralized arbiter 30, which controls "packet cell routing according to the desired architecture and traffic management algorithm". Now, Prasad's description of the architecture of the PPCBUS is vague at best. All that can be said is that the PPCBUS carries control information from each cell to the centralized arbiter 30. In contrast, in the claimed architecture, for each individual cell of the array, a respective plurality of control channels is used to convey control information to that cell from respective cells of the array. Prasad is completely and utterly silent regarding such an architecture. In fact, the use of a centralized arbiter to handle control decisions teaches away from the intricate inter-cell connectivity envisaged by claim 2.

Moreover, and with all due respect, the Examiner's is incorrect in stating that the PPCBUS in Prasad's Fig. 7 teaches element d) of former claim 1 (now

recited as element c) of claim 2). In fact, Prasad's use of an arbiter 30 actually precludes decision-making by individual cells, and on this basis alone, it should be appreciated that Prasad cannot possibly be held to teach the additional claimed limitation of "each cell operative to control transmission of data packets to other cells of said array at least in part on a basis of the control information conveyed thereto".

Since claim 2 recites at least one feature that is not taught or suggested in the cited reference, it is respectfully submitted that a rejection under 35 U.S.C. 102 is improper. Therefore, the Examiner is respectfully requested to withdraw the rejection of claim 2.

#### Claims 3-8 and 33-36

These claims are all either directly or indirectly dependent on claim 2 and therefore include all the limitations of claim 2, including those already shown to be absent from Prasad. Thus, for the same reasons as those set forth above in support of claim 2, the Examiner is requested to withdraw the rejection of claims 3-8 and 33-36.

#### D. REJECTION OF CLAIMS 9-13 UNDER 35 U.S.C. 103

On page 5 of the Office Action, the Examiner has rejected claims 9-13 under 35 U.S.C. 103(a) as being unpatentable over Prasad *et al.* U.S. Patent 6,275,491 (hereinafter referred to as Prasad) in view of Masaaki U.S. Patent 6,438,143 (hereinafter referred to as Masaaki). The applicant respectfully traverses this rejection and submits that claims 9-13 are in allowable form, as set forth herein below.

Firstly, claims 9-13 are all either directly or indirectly dependent on claim 2 and therefore include all the limitations of claim 2, including those already shown to be absent from Prasad. Specifically, Prasad fails to teach or suggest:

"for each individual cell of said array, a respective plurality of control channels distinct from said data channels for conveying control information to said individual cell of said array, the respective plurality of control channels conveying control information from respective cells of said array"

and

"each cell operative to control transmission of data packets to other cells of said array at least in part on a basis of the control information conveyed thereto."

Moreover, it is respectfully submitted that the above limitations are also absent from Masaaki. Specifically, Masaaki is directed to an image packet communications system, including a packet generator that generates image packets based on the timing of a transmission clock signal with reference to a transmission standard signal. Nothing in Masaaki even remotely resembles control channels, not to mention control channels having the architecture recited in claim 2.

Furthermore, Masaaki fails to disclose an array of cells of a switch fabric. Each and every reference to cells in Masaaki is in the context of ATM cells, not cells of a switch fabric. In summary, claim 2 (and therefore claims 9-13) recites at least one feature that is neither taught nor suggested by either Masaaki or Prasad or their combination. Hence, it respectfully submitted that a *prima facie* case of obviousness has not been set out in the Office Action<sup>1</sup> and the Examiner is therefore respectfully requested to withdraw the rejection of claims 9-13.

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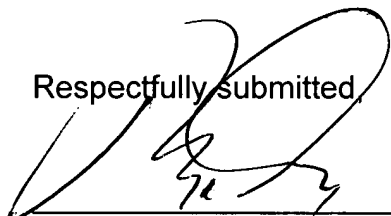
<sup>1</sup> For the Examiner to establish a *prima facie* case of obviousness, three criteria must be considered: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings, (2) there must be a reasonable expectation of success, and (3) the prior art references must teach or suggest all of the claim limitations. MPEP §§ 706.02(j), 2142 (8<sup>th</sup> ed.).

### CONCLUSION

In view of the foregoing, Applicant is of the view that claims 2-37 are in allowable form. Favourable reconsideration is requested. Early allowance of the Application is earnestly solicited.

If the application is not considered to be in full condition for allowance, for any reason, the Applicant respectfully requests the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims pursuant to MPEP 707.07(j) or in making constructive suggestions pursuant to MPEP 706.03 so that the application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Respectfully submitted,



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